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Dated: August 11, 2004

Signature: 

(Tia B. Zimmerman)

Docket No.: 342312003601  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Nathaniel MILTON et al,

Application No.: 09/942,431

Art Unit: 1653

Filed: August 29, 2001

Examiner: D. Lukton

For: ECHINOCANDIN PHARMACEUTICAL  
FORMULATIONS CONTAINING MICELLE-  
FORMING SURFACTANTS

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated May 13, 2004 (Part of Paper No./Mail Date 20040501), for which a response was due on August 13, 2004. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 16 of this paper.